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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. CR 14-0306 WHA
	)	
Plaintiff,	)	<del>[PROPOSED]</del> ORDER EXCLUDING TIME AND
	)	VACATING TRIAL AND MOTIONS' DATES
v.	)	
	)	
LUKE D. BRUGNARA,	)	
	)	
Defendant.	)	
	)	

On February 9, 2015, the parties appeared before this Court for a hearing. The government was represented by Assistant United States Attorneys Robin Harris and Ben Kingsley. The defendant, who was not present and is currently a fugitive at large, was represented by attorney Erik Babcock. At this hearing, the Court vacated the February 26, 2015 trial date and the motions' hearing date of February 17, 2015. The Court also vacated all filing deadlines associated with the February 26, 2015 trial date and the motions' hearing date of February 17, 2015.

Based on the unavailability of the defendant due to his status as a fugitive, the Court excluded time under the Speedy Trial Act from February 5, 2015 (the date on which defendant absconded) until the date on which defendant is captured and brought before a Federal Magistrate or Federal Judge for

1 further proceedings in this case. *See* 18 U.S.C. §§ 3161(h)(3)(A), 3161(h)(3)(B).

2 DATED: February 9, 2015

/s/  
ROBIN L. HARRIS  
BENJAMIN KINGSLEY  
Assistant United States Attorneys

6 **ORDER ~~[Proposed]~~**

7 The trial date of February 26, 2015 and the motions hearing date of February 17, 2015 are  
8 vacated due to the unavailability of the defendant who is currently a fugitive at large. The time from  
9 February 5 2015 (the date on which defendant absconded) until the date on which defendant is captured  
10 and brought before a Federal Magistrate or Federal Judge for further proceedings in this case is excluded  
11 from the Speedy Trial Act. *See* 18 U.S.C. §§ 3161(h)(3)(A), 3161(h)(3)(B).

13 **IT IS SO ORDERED.**

15 DATED: February 9, 2015.

  
HON. WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE